GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public services - Revenue Department - Sri Gade Sainath, the then Special Deputy Collector, Special Economic Zone, Unit-1, Tirupathi, Chittoor (now retired) - Trapped on 24.09.2008 - Prosecution Sanction accorded - Hon'ble Special Judge for SPE & ACB cases, Nellore pronounced acquittal on 19.02.2020 - Court orders Implemented - Orders - Issued.

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REVENUE (VIGILANCE.I)DEPARTMENT

G.O.Rt.No.819 Dated:31.08.2023.

Read the following:-

1. From the D.G., ACB, Lr.Rc.No.226/RCT- TCT/2008, dt:31.10.2009
2. G.O.Ms.No.1415, Revenue (Vigilane -III) Dept., dt: 18.12.2010
3. Orders, dt: 19.02.2020 of Special Judge for SPE & ACB cases,Nellore in C.C.No. 16/2015
4. From the D.G., ACB., Lr.Rc.No.226/RCT- TCT/2008, dt:16.06.2020.
5 .Govt.Memo.No. LANA0CCLV(ACBC)/16/2020, Rev.(Vig.I) Dept.,dt:18.12.20202
6. From Sri G.Sainath, Deputy Collector(retd.) representation dt,05.01.2023

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O R D E R:-

Whereas in the letter, 1st read above, the Director, General, Anti Corruption Bureau has submitted fnal report in the trap case registered in Cr.No.13/RCT-TCT/2008 against Sri Gade Sainath, the then Special Deputy Collector, Special Economic Zone, Unit-1, Tirupathi, Chittoor (now retired) along with five others on the allegations of corruption and misconduct recommending, among others, for prosecution of Sri Gade Sainath, the then Special Deputy Collector, Special Economic Zone, Unit-1, Tirupathi, Chittoor (now retired) in the court of law for the offences punishable under sections 7 & 13(2) read with section 13(1)(d) of Prevention of Corruption Act, 1988

2. After examination of the recommendations of the Director, General, Anti Corruption Bureau and after following due procedure, Government vide G.O 2nd read above, have accorded sanction for prosecution of Sri Gade Sainath, the then Special Deputy Collector, Special Economic Zone, Unit-1, Tirupathi, Chittoor (now retired).

3. The Special Judge for SPE and ACB cases, Nellore has pronounced Judgment on 19.02.2020 in C.C.No.16/2015 that " the accused ofcer, Sri Gade Sainath, the then Special Deputy Collector, Special Economic Zone, Unit-1, Tirupati, Chittoor (now retired) along with fve others is found not guilty and the operative portion of the Judgement is as follows:

" the acceptance of money by A1 to A6 is quite evident and they failed to adduce any evidence to disprove the said fact. But, the Law is otherwise as stated supra, that mere recovery of tainted money from the possession of the accused person, in corruption cases is not sufficient to convict them unless demand of bribe and official favour established by the prosecution for the charged offences. Therefore, for the reasons stated above, the aspect of acceptance of bribe amounts by A-1 to A6 is of no used to the case of the prosecution under the facts and circumstances of this case.

The result, Accused Nos.1 to 6 are found not guilty for the offences punishable under Sections 7, 13(2) read with Sec. 13(1)(d) of the Prevention of Corruption Act, 1988. Accordingly,they are acquitted Under Section 248(1) of Cr.P.C for the above said offences. The bail bonds of the accused Nos.1 to 6 shall stand cancelled after appeal time and the same shall be in force for a period of 26o months under Section 43(7-A of Cr.P.C from the date of Judgment."

(P.T.O)

4. In the letter 4th read above, the Director, General, Anti Corruption Bureau while enclosing the above acquittal orders, has requested the Govt., to permit the Bureau to prefer an appeal in the High Court against the said orders and Govt., after examining the same has rejected the said proposal vide Memo, 5th cited duly stating that there are no good grounds to file an appeal against the acquittal orders.

5. In the representation 6th cited, Sri G.Sainath, Deputy Collector (retd.) have requested the Government to issue dropping orders on the acquittal orders pronounced by the Special Court for SPE and ACB cases, SPSR Nellore.

6. Government, after careful examination of the orders dt:19.02.2020 of Hon'ble Spl. Judge for SPE & ACB Cases, SPSR Nellore, hereby drop further action against Sri Gade Sainath, the then Special Deputy Collector, Special Economic Zone, Unit-1, Tirupathi, Chittoor (now retired) and exonerate him from the criminal charges framed against him, in the matter.

7. The Chief Commissioner of Land Administration, A.P., Mangalagiri shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri Gade Sainath, the then Special Deputy Collector, Special Economic Zone, Unit- 1, Tirupathi, Chittoor (now retired) (through Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Director General, Anti Corruption Bureau, Vijayawada
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
Copy to:
The District Collector, Chittoor.
The Secretary, APVC
Sf/Sc.

//FORWARDED:: BY ORDER//

SECTION OFFICER